

determining the PORV setpoint during LTOP events; but reduces the potential for activation of pressure relieving devices, thereby improving plant safety. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Surry Power Station, Units 1 and 2.

Agencies and Persons Consulted

In accordance with its stated policy, on October 13, 1995, the staff consulted with the Virginia State official, Mr. Foldesi of the State Health Department, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated June 8, 1995, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Swem Library, College of William and Mary, Williamsburg, Virginia 23185.

Dated at Rockville, Maryland, this 18th day of October 1995.

For the Nuclear Regulatory Commission

David B. Matthews,

Director, Project Directorate II-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

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[Docket Nos. 50-390 and 50-391]

Watts Bar Nuclear Plant, Units 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U. S. Nuclear Regulatory Commission (the Commission) is considering granting an exemption from certain requirements of its regulations to Watts Bar Nuclear Plant, Units 1 and 2, located in Spring City, Tennessee. Operating licenses have not been issued for Watts Bar; Units 1 and 2 are currently under Construction Permits CPPR-91 and CPPR-92, respectively.

Environmental Assessment

Identification of Proposed Action

By letter dated July 19, 1995, as supplemented by letters of July 26 and September 6, 1995, Tennessee Valley Authority (TVA) requested an exemption from the ingestion pathway portion of the requirement in 10 CFR Part 50, Appendix E, Section IV.F.2(a), which states that a full-participation exercise shall be conducted within 2 years before the issuance of the initial operating license for full power (authorizing operation above 5 percent of rated power) of the first reactor and shall include participation by each State and local government within the plume exposure pathway emergency planning zone (EPZ) and each State within the ingestion exposure pathway EPZ. Specifically, TVA requested relief from the requirement to include participation of each State within the ingestion exposure pathway EPZ during the Watts Bar exercise scheduled for November 1995, because in 1992 and 1993 the State of Tennessee participated in full-participation exercises which included the ingestion pathway EPZs at Sequoyah and Watts Bar, respectively. The State of Tennessee supported TVA's request for an exemption because it would encounter financial hardship if it has to participate.

The Need for the Proposed Action

The NRC may grant exemptions from the requirements of 10 CFR Part 50 which, pursuant to 10 CFR 50.12(a), are (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security, and (2)

present special circumstances. Section 50.12(a)(2) of 10 CFR Part 50 describes the special circumstances for an exemption. Special circumstances are present when the application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule [10 CFR 50.12(a)(2)(ii)]. The underlying purpose of Appendix E, Section IV.F.2(a) is to demonstrate the integrated capabilities of appropriate local and State authorities and licensee personnel to adequately assess and respond to an accident at a commercial nuclear power plant within 2 years before the issuance of the initial operating license for full power (authorizing operation above 5 percent of rated power) of the first reactor on a site. Special circumstances are also present when compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted [10 CFR 50.12(a)(2)(iii)]. Additionally, special circumstances are present when the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation [10 CFR 50.12(a)(2)(v)].

Environmental Impacts of the Proposed Action

The applicant's request for exemption involves aspects of the upcoming full-participation emergency exercise, but does not involve any design or construction activity. The proposed action will not increase the probability or consequences of accidents, makes no changes in the types of any effluents that may be released offsite, and does not increase the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not involve any activity that results in release of any nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not

be evaluated. As an alternative to the proposed action, the Commission considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement and Supplement 1 related to operation of the Watts Bar Nuclear Plant, dated December 1978 and April 1995, respectively.

Agencies and Persons Consulted

In accordance with its stated policy, the NRC staff consulted with the Tennessee State official regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to this action, see the request for exemption dated July 26, 1995, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Chattanooga-Hamilton County Library, 1101 Broad Street, Chattanooga, Tennessee.

Dated at Rockville, Maryland, this 2nd day of October 1995.

For the Nuclear Regulatory Commission.

Peter S. Tam,

Senior Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

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Proposed Generic Communication; Licensee Qualification for Performing Safety Analyses (M91599)

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of opportunity for public comment.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to issue

Supplement 1 to Generic Letter 83-11 concerning licensee qualification for performing their own safety analyses. This draft generic letter supplement provides an alternative method for licensee qualification. The NRC is seeking comment from interested parties regarding both the technical and regulatory aspects of the proposed generic letter supplement presented under the Supplementary Information heading.

This proposed generic letter supplement was endorsed by the Committee to Review Generic Requirements (CRGR) on September 26, 1995. The relevant information that was sent to the CRGR will be placed in the NRC Public Document Room. The NRC will consider comments received from interested parties in the final evaluation of the proposed generic letter supplement. The NRC's final evaluation will include a review of the technical position and, as appropriate, an analysis of the value/impact on licensees. Should this generic letter supplement be issued by the NRC, it will become available for public inspection in the NRC Public Document Room.

In addition to the proposed supplement to Generic Letter 83-11, the NRC staff is also investigating modified procedures for reducing the resource effort for acceptance of new or revised licensee or vendor analysis methods. Currently, topical reports are submitted to the NRC which require a relatively long review and approval process. In this regard, the NRC requests comments on the following:

(1) To what extent can an organization other than the NRC (a third party) review a new methodology or a significant change to an existing methodology?

(a) What capabilities should be required of a third-party reviewer?

(b) What is the safety significance of not having the NRC perform the review?

(c) What documentation should be submitted to the NRC by the third-party reviewer and/or by the licensee?

(d) What type of acceptance (e.g., a safety evaluation report) should be issued?

(e) How would approved references (e.g., Core Operating Limits Report (COLR) parameters in technical specification reporting requirements) be handled?

(f) What information, if any, should be available for NRC audit?

(2) What other viable approaches can be used for accepting new or revised methods?

(a) Should a regulatory guide be developed?

(b) Can a set of criteria, as proposed in the generic letter supplement for previously approved generic methods, also be developed for new methods?

(3) To what technical disciplines should this process apply? Commentors should clearly differentiate any comments submitted in response to these questions from comments on the generic letter supplement.

DATES: Comment period expires December 11, 1995. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date.

ADDRESSEES: Submit written comments to Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T-6D-69, Washington, DC 20555-0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland, from 7:30 am to 4:15 pm, Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Laurence I. Kopp (301) 415-2879.

SUPPLEMENTARY INFORMATION:

NRC Generic Letter 83-11, Supplement 1: Licensee Qualification for Performing Safety Analyses

Addressees

All holders of operating licenses or construction permits for nuclear power reactors.

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this supplement to Generic Letter (GL) 83-11 to notify licensees and applicants of modifications to the Office of Nuclear Reactor Regulation (NRR) practice regarding licensee qualification for performing their own safety analyses. It is expected that recipients will review the information for applicability to their facilities. However, suggestions contained in this supplement to the generic letter are not NRC requirements; therefore, no specific action or written response is required.

Background

Over the past decade, substantially more licensees have been electing to perform their own safety analyses to support such tasks as reload applications and technical specification amendments, rather than contract the work out to their nuclear steam supply